

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

FRANKLIN JEREZ RIVERA  
ROSA M. BERNARD AYALA

DEBTORS

CASE NO. 09-06870-GAC

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN  
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COME NOW, **FRANKLIN JEREZ RIVERA** and **ROSA M. BERNARD AYALA** debtors in the above captioned case, through the undersigned attorney, and very respectfully state and pray:

1. Debtors are hereby submitting an amended Plan dated September 29, 2009, herewith and attached to this motion.

**I CERTIFY** that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants, debtors, Franklin Jerez Rivera and Rosa M. Bernard Ayala and to all creditors and parties in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 29<sup>th</sup> day of September, 2009.

/s/ **Roberto Figueroa Carrasquillo**  
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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. **09-06870-13**

**JEREZ RIVERA, FRANKLIN & BERNARD AYALA, ROSA MARIA**

Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: \_\_\_\_\_

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **9/29/2009**

Filed by: ☒ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$ **150.00** x **60** = \$ **9,000.00**  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

TOTAL: \$ **9,000.00**

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **9,000.00**

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **2,874.00**

Signed: **/s/ FRANKLIN JEREZ RIVERA**  
Debtor

**/s/ ROSA MARIA BERNARD AYALA**  
Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. **BANCO POPULAR D** Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# **71010014867272** # \_\_\_\_\_ # \_\_\_\_\_  
\$ **1,132.00** \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

**BANCO POPULAR D**

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. \_\_\_\_\_ Cr. \_\_\_\_\_ Cr. \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_  
\$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

\*Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. If the debtor(s) shall seek court's authorization prior to any use of funds.

\*Or as otherwise specified on proof of claim.

Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.  
Debtor reserves the right to object claims after plan confirmation.

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